

ORIGINAL**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE GAP, INC. and
GAP (APPAREL) LLC,

Plaintiffs,

v.

G.A.P. ADVENTURES INC.,

Defendant.

X

:
07 CIV 9614 (AKH)

:
:
**NOTICE OF MOTION FOR
ADMISSION *PRO HAC VICE* OF
DAVID M. KELLY**

X

PLEASE TAKE NOTICE that, pursuant to Rule 1.3 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, upon the annexed Affidavit of Judith R. Cohen, dated December 17, 2007, and the exhibit thereto, the undersigned moves this Court for an Order admitting David M. Kelly to the bar of this Court, *pro hac vice*, on behalf of plaintiffs in the above-captioned matter.

Dated: December 17, 2007
New York, New York

Respectfully submitted,

By:


Steven I. Weisburd (SW-5325)
Lawrence C. Drucker (LD-9423)
Judith R. Cohen (JC-8614)
Dickstein Shapiro LLP
1177 Avenue of the Americas
New York, New York 10036-2714
Telephone: (212) 277-6500
Facsimile: (212) 277-6501

Attorneys for Plaintiffs The Gap,
Inc. and Gap (Apparel) LLC

 ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

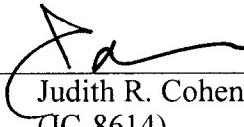
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Pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Judith R. Cohen, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of DAVID M. KELLY, Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P., 901 New York Avenue, N.W., Washington, D.C. 20001, telephone: (202) 408-4000, fax: (202) 408-4400.

David M. Kelly is a member in good standing of the Bar of the States of Louisiana and Pennsylvania and the District of Columbia. True and correct Certificates of Good Standing from the Bars of the States of Louisiana and Pennsylvania and the District of Columbia are attached hereto. There are no pending disciplinary proceedings against David M. Kelly in any State or Federal Court.

Dated: December 17, 2007
New York, New York

Respectfully submitted,

By: 
Judith R. Cohen
(JC-8614)
Dickstein Shapiro LLP
1177 Avenue of the Americas
New York, New York 10036-2714
Telephone: (212) 277-6500
Facsimile: (212) 277-6501



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D.C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia
Court of Appeals, do hereby certify that

DAVID M. KELLY

was on the 17TH day of APRIL, 1987

duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on
December 12, 2007.

GARLAND PINKSTON, JR., CLERK

By: G. Pinkston
Deputy Clerk

Louisiana State Bar Association

The Louisiana State Bar Association hereby certifies that _____

Mr. David M Kelly

901 New York Ave NW

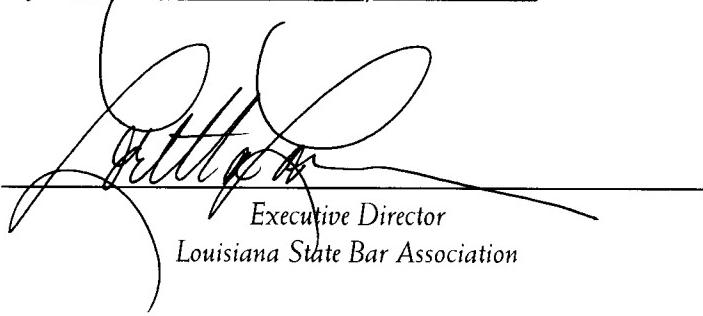
whose address is _____

Washington, DC 20001-4413

is a member in good standing of the Louisiana State Bar Association as of this date, and that
said person was duly admitted to practice in the courts of the State of Louisiana on the

11th day of October, 1985.

Given over my hand and the Seal of the Louisiana State Bar Association, this _____
day of December, 2007.



Executive Director
Louisiana State Bar Association



Supreme Court of Pennsylvania

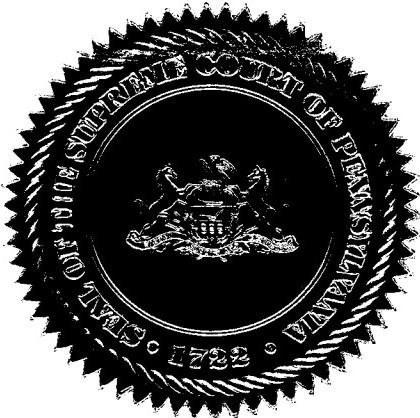
CERTIFICATE OF GOOD STANDING

David Michael Kelly, Esq.

DATE OF ADMISSION

October 31, 1983

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal
Dated: November 20, 2007

A handwritten signature in black ink, appearing to read "Patricia A. Johnson".

Patricia A. Johnson
Chief Clerk

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UNITED STATES DISTRICT COURT
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: 07 CIV 9614 (AKH)

**AFFIDAVIT OF
JUDITH R. COHEN
IN SUPPORT OF MOTION
TO ADMIT COUNSEL
PRO HAC VICE**

X

State of New York)
)
 ss:
County of New York)

JUDITH R. COHEN, being duly sworn, hereby deposes and says as follows:

1. I am counsel with Dickstein Shapiro LLP, 1177 Avenue of the Americas, New York, N.Y. 10036, attorneys for plaintiffs in the above-captioned matter. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of plaintiffs' motion to admit David. M. Kelly as counsel *pro hac vice* to represent plaintiffs in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in February 1977. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known David M. Kelly since December 2007.

4. Mr. Kelly is a partner with the law firm of Finnegan, Hendersen, Farabow, Garrett & Dunner, L.L.P., in its Washington, D.C. office.

5. I have found Mr. Kelly to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.

6. Accordingly, I am pleased to move the admission of David. M. Kelly, *pro hac vice*.

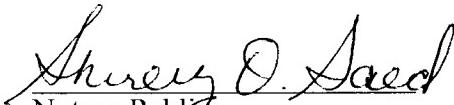
7. I respectfully submit a proposed order granting the admission of David M. Kelly, *pro hac vice*, which is attached hereto as Exhibit A.

WHEREFORE, it is respectfully requested that the motion to admit David M. Kelly, *pro hac vice*, to represent plaintiffs in the above captioned matter, be granted.



Judith R. Cohen
(JC-8614)

Sworn to me this 17 day
of December 2007



Shirley O. Saed
Notary Public

SHIRLEY O. SAED
Notary Public, State of New York
No. 01SA5072143
Qualified in New York County
Certificate Filed in New York County
Commission Expires January 27 2011

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
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v.

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Defendant.

07 CIV 9614 (AKH)

**ORDER ADMITTING COUNSEL
*PRO HAC VICE***

----- X

ALVIN K. HELLERSTEIN, UNITED STATES DISTRICT JUDGE:

Upon the motion of Judith R. Cohen, attorney for The Gap, Inc. and Gap (Apparel) LLC and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that, David M. Kelly, Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P., 901 New York Avenue, N.W., Washington, D.C. 20001, telephone: (202) 408-4000, fax: (202) 408-4400, email address: david.kelly@finnegan.com, is admitted *pro hac vice* to as counsel for The Gap, Inc. and Gap (Apparel) LLC in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: _____, 2007
New York, New York

ALVIN K. HELLERSTEIN
United States District Judge

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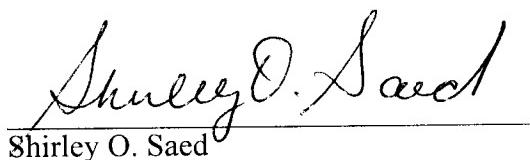
CERTIFICATE OF SERVICE

I, Shirley O. Saed, hereby certify that on December 17, 2007, true and correct copies of the attached documents, in the above-captioned matter, were served in accordance with the Federal Rules of Civil Procedure, via prepaid first-class mail upon:

Alan Martin Sack
Hoffman & Baron, LLP
6900 Jericho Turnpike
Syosset, NY 11791

Jon A. Chiodo
Hoffman & Baron, LLP
6 Campus Drive
Parsippany, NJ 07054

Dated: December 17, 2007
New York, New York



Shirley O. Saed